

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 19

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte WALTER A. HELBIG

Appeal No. 95-3019
Application No. 08/124,954¹

ON BRIEF

Before HAIRSTON, BARRETT and CARMICHAEL, Administrative Patent Judges.

HAIRSTON, Administrative Patent Judge.

DECISION ON APPEAL

This is an appeal from the final rejection² of claims 1 through 3.

The disclosed invention relates to a method and apparatus for providing access to a computer.

Claim 1 is illustrative of the claimed invention, and it reads as follows:

¹ Application for patent filed September 21, 1993.

² Neither of the Amendments After Final (paper numbers 7 and 9) was entered by the examiner (paper numbers 8 and 10).

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1. A trusted computing system, comprising:

a computing apparatus including a keyboard port, and responsive to keyboard signals applied to said keyboard port;

a keyboard including a plurality of keys and an output port, for generating, at said output port of said keyboard, keyboard signals representing keystrokes;

a card reader electrically and mechanically coupled to said output port of said keyboard and to said keyboard port of said computing apparatus, said card reader being for electrically coupling a removeable access control card to said keyboard output port and to said keyboard port of said computing apparatus; and

a plurality of removable access cards, each of which is physically arranged to be mechanically and electrically coupled to said card reader, each of said access cards including memory means preloaded with personal identification information, and comparison means coupled to said memory means, for, when inserted into said card reader, assuming first and second modes of operation, and for, in said first mode of operation, comparing said keyboard signals with said personal identification information, and for, when said comparison matches said keyboard signals with said personal identification information, switching to said second mode of operation, and for, in said second mode of operation, coupling said keyboard signals to said keyboard port of said computing apparatus.

The reference relied on by the examiner is:

McClung et al. (McClung)	4,951,249	Aug. 21, 1990
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Claims 1 and 3 stand rejected under 35 U.S.C. § 102(b) as being anticipated by McClung.

Claim 2 stands rejected under 35 U.S.C. § 103 as being unpatentable over McClung.

Reference is made to the brief and the answer for the respective positions of the appellant and the examiner.

OPINION

Although "McClung et al ('249) uses a card inserted into a card reader to identify the user to the computer" (Final rejection, page 2), and the magnetically encoded identification card contains information (column 6, line 65 through column 7, line 32), we agree with appellant's arguments (Brief, pages 6 through 9) that the removable access card in McClung contains card identification information as opposed to a user's personal identification information, and lacks a comparison means for comparing keyboard signals with the stored personal identification information. The examiner's argument (Answer, page 4) that the "'security system circuit board' (item 102) in McClung et al ('249)" performs the claimed functions is in error because without a comparison means located on the access card, McClung is incapable of performing the comparison operation and subsequent operations required by the claims on appeal.

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Inasmuch as the access card in McClung lacks a memory with a user's personal identification information stored therein, and a comparator, all of the rejections based upon the teachings of McClung are reversed.

DECISION

The decision of the examiner rejecting claims 1 and 3 under 35 U.S.C. § 102(b), and claim 2 under 35 U.S.C. § 103 is reversed.

REVERSED

KENNETH W. HAIRSTON)	
Administrative Patent Judge)	
)	
)	
)	
)	BOARD OF PATENT
LEE E. BARRETT)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
)	
)	
JAMES T. CARMICHAEL)	
Administrative Patent Judge)	

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APPEAL NO. 95-3019 - JUDGE HAIRSTON
APPLICATION NO. 08/124,954

APJ HAIRSTON

APJ BARRETT

APJ CARMICHAEL

DECISION: REVERSED

Typed By: Jenine Gillis

DRAFT TYPED: 23 Dec 98

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JENINE GILLIS

Appeal No. 95-3019
Serial No. 08/124,954

Judge HAIRSTON

Judge BARRETT

Judge CARMICHAEL

Received: 04 Jun 98

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DECISION: REVERSED

Send References: Yes No

Panel Change: Yes No

3-Person Conf. Yes No

Heard: Yes No

Remanded: Yes No

Index Sheet-2901 Rejection(s): _____

Mailed:

Acts 2: _____

Palm: _____

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